

243.884 Wholesale sales tax imposed -- Rate -- Report and payment -- Exemptions. (Effective until January 1, 2007)

- (1) For the privilege of making "wholesale sales" or "sales at wholesale" of beer, wine, or distilled spirits, a tax is hereby imposed upon all wholesalers of wine and distilled spirits at the rate of eleven percent (11%) and upon all distributors of beer at the rate of eleven percent (11%) of the gross receipts of any such wholesaler or distributor derived from "sales at wholesale" or "wholesale sales" made within the Commonwealth except as provided in subsection (2) of this section. Wholesalers of distilled spirits and wine and distributors of malt beverages shall pay and report the tax levied by this section on or before the 20th day of the calendar month next succeeding the month in which possession or title of the distilled spirits, wine or malt beverages is transferred from the wholesaler or distributor to retailers or consumers in this state, in accordance with rules and regulations of the Department of Revenue designed reasonably to protect the revenues of the Commonwealth.
- (2) Gross receipts from sales at wholesale or wholesale sales shall not include the following sales:
 - (a) Sales made between wholesalers or between distributors;
 - (b) Sales made by a small winery or farm winery or wholesaler of wine produced by a small winery or farm winery, if the grapes, grape juice, other fruits, other fruit juices, or honey from which the wine is made are produced in Kentucky;
 - (c) Until June 30, 2004, sales from a small winery or wholesaler of wine produced by a small winery, if the grapes, grape juice, other fruits, other fruit juices, or honey from which the wine is made are not produced in Kentucky.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 85, sec. 660, effective June 20, 2005; and ch. 168, sec. 74, effective June 1, 2005. -- Amended 2000 Ky. Acts ch. 167, sec. 3, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 451, sec. 4, effective July 15, 1994. -- Created 1982 Ky. Acts ch. 390, sec. 4, effective June 1, 1982.

Legislative Research Commission Note (6/1/2005). This section was amended by 2005 Ky. Acts chs. 85 and 168, which do not appear to be in conflict and have been codified together.

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consumers in this state, in accordance with rules and regulations of the Department of Revenue designed reasonably to protect the revenues of the Commonwealth.

- (2) Gross receipts from sales at wholesale or wholesale sales shall not include the following sales:
- (a) Sales made between wholesalers or between distributors; and
 - (b) Sales made by a small farm winery or wholesaler of wine produced by a small farm winery.

Effective: January 1, 2007

History: Amended 2006 Ky. Acts ch. 179, sec. 11, effective January 1, 2007. -- Amended 2005 Ky. Acts ch. 85, sec. 660, effective June 20, 2005; and ch. 168, sec. 74, effective June 1, 2005. -- Amended 2000 Ky. Acts ch. 167, sec. 3, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 451, sec. 4, effective July 15, 1994. -- Created 1982 Ky. Acts ch. 390, sec. 4, effective June 1, 1982.